

APPLICANTS' ELECTION

Applicants hereby elect the species of **pulmonary hypertension** for purposes of further examination.

REMARKS

Claims 1, 2, 4-6, 8-10, 19, 21-23, 26, 28-29, 34-36 and 38-42 are now pending in the subject U.S. patent application. Claims 1, 2, 4-6, 8-10, 19, 21-23, 26, 28-29, 34-36 and 38-42 have been subjected to a Restriction/Election Requirement, wherein an election of a species of disorder/environmental stimulus is required.

In response to the Restriction/Election Requirement, applicants have elected **pulmonary hypertension** as the disorder. It is believed that claims 1, 2, 4-5, 8-10, 19, 21-23, 26, 28-29, 35, 38-40 and 42 read on the elected subject matter. While applicants are electing pulmonary hypertension for purposes of further examination, applicants respectfully submit that it would not be an undue burden for the claims to be examined to the extent that cardiac surgery can be associated with pulmonary hypertension.

Applicants hereby reserve the right to file one or more divisional patent applications directed to the unelected subject matter.

Applicants respectfully submit that the election of the above-mentioned representative species does not place an undue burden on the Examiner to perform a complete search of the defined areas. The present species elections are made without traverse to the extent that it is understood that, upon the finding of an allowable species, examination will continue until all species have been examined, or a non-allowable species is found, all in accordance with the procedures set forth in M.P.E.P. § 803.02.

CONCLUSIONS

Should there be any minor issues outstanding in this matter, the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

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Date: August 17, 2009

By: 

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1242/58

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